



Noted
ZFW
DAP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Terry Pullaro	GROUP ART UNIT:
SERIAL NO.: 10/810,347	EXAMINER:
FILED: March 26, 2004	DOCKET NO.: PULT 9238US
FOR: SPORTS TRAINING AND CONDITIONING DEVICE	

St. Louis, Missouri
May 26, 2005

Office of Petitions
Mail Stop: Petitions
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition Fee

- ☒ small business entity -- fee \$750.00. Applicant claims small entity status.
☐ other than small entity -- fee \$1,370.00.

2. Response filed:

Note: The response does not require a request and fee for extension of time as a condition of revival.

A. The reply and/or fee to the above-noted Official action in the form of Reply To

Notice Of Missing Parts.

- ☐ has been previously filed on _____.
☒ is enclosed herewith.

06/01/2005 JBALINAN 00000077 162201 10810347

01 FC:2453 750.00 DA

B. The issue fee of \$

- ☐ has been previously paid on _____.
- ☐ is enclosed herewith.

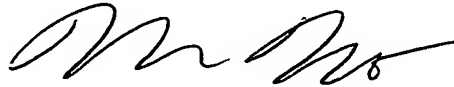
3. Terminal disclaimer:

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of _____ for a small entity of \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

[NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

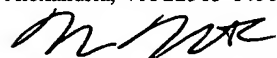
The Commissioner is hereby authorized to charge any additional fees or credit any overpayment under 37 CFR §1.16 and §1.17 which may be required to Deposit Account No. 16-2201. *Duplicates of this sheet are enclosed.*



Nelson Nolte, Reg. No. 42,938
Polster, Lieder, Woodruff & Lucchesi, L.C.
Customer Number: 001688
12412 Powerscourt Drive
St. Louis, Missouri 63131-3615
Telephone: (314) 238-2400
Facsimile: (314) 238-2401

I hereby certify that this correspondence
is being deposited with the U.S. Postal Service
as first class mail in an envelope addressed to: Mail Stop Petitions
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on 5-27-05.

2



Nelson Nolte, Reg. No. 42,938